



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

Board Of Physical Therapy Examiners

**BOARD MEETING OPEN MINUTES
FEBRUARY 15, 2011**

The meeting was called to order at 1:05 p.m. by the Chairperson,
Shirley Leeper, PTA.

Call to Order

Board members present:

Rhea Cohn, PT, DPT
Ved Gupta, Consumer Member
Krystal Lighty, PT, DPT
Lori Mizell, PT, Vice Chairperson
Donald Novak, PT, DPT
Lois Rosedom-Boyd, Consumer Member

Board member absent:

John Baker, PT, DPT

Also present:

Ann E. Tyminski, Executive Director
Joy E. Aaron, Deputy Director
Linda Bethman, AAG, Board Counsel
Francesca Gibbs, Staff Attorney
Ernest Bures, Compliance Manager
John Bull, Investigator
Deborah Jackson, Board Secretary

Visitors: Students & Faculty from Community College of Baltimore City

Nissim Rakhminov	Adam Klaff	Dinup Dnyawali
Joe Clayton	Andrew Davis	Angela Lutz
Rebekah Aversano	Lilia A. Trant	Jannet Kabaru
Debra Parson, PT	Patrice Johnson	Shellia Lavezzary
Mohammad Nabulsi	Mark Gill	Melissa Askew
Patricia Feddon		

Ms. Leeper welcomed the students and faculty member present.

The Board recognized the resignation of Francesca Gibbs, Staff Attorney from her present position as Board Counsel. She will be greatly missed. The Board expressed the hope that she will be assigned PT Board cases when she assumes her position as an Assistant Attorney General

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in the Litigation Department of the Attorney General's office.

The minutes of the January 18, 2011 meeting were accepted with one small correction.

Approval of Minutes

The draft proposal for COMAR 10.38.10 Monetary Penalties and Disciplinary Sanctions was approved with one change. The minimum penalty for Practicing beyond the scope of one's license was changed from \$300 to \$500.

COMAR 10.38.10

The draft response to the Steering Committee proposing changes to COMAR specific to a school physical therapy practice was reviewed and approved.

Steering Committee

An inquiry from Emily Fennell, PT forwarded by Carolyn Chanoski, PT, DPT regarding the ability of physical therapists to refer a patient for an x-ray was reviewed. The response was that according to the present statute, physical therapists cannot refer a patient for an x-ray.

X-ray Referrals

An inquiry from Jennifer Carmichael, PT regarding medication teaching was reviewed. Mrs. Tyminski was directed to send her the standard statement that a physical therapist can act as a scribe to write down medications and a PT may review the medication guide that comes with the medication with the patient. Any further medication problems or questions are to be referred to Nursing or the physician.

Medications

P. J. Morrison, PT inquired as to whether he could sell protein drinks to his patients. The Board referred him to the Board of Dietetic Practice.

Protein Drinks

Rhea Cohn and John Baker are the committee members to draft dry needling regulations, following the direction of the Attorney General's opinion. Mrs. Tyminski will provide them with all the information collected from the members of the Task Force on Dry Needling, practitioners who presently perform the procedure.

Dry Needling

Mrs. Tyminski explained that May 12, 2011 is the date for the training for expert witnesses and board members on appropriate reports etc. for its disciplinary cases.

Expert Witness Training

A request for clinical sites from the Community College of Baltimore County for a course to train physical therapy technicians was reviewed. Mrs. Tyminski had requested information about the course and whether the college was aware of the regulations that pertain to PT Aides but had not received a response. Ms. Leeper will call Ms. Janet Boldt, at the college, for more information.

PT Aide Course

Two continuing education courses were reviewed. They were "Feeding the Most Fragile" and "Community Resources". Both were denied as not being sufficiently

Continuing Education

related to the practice of physical therapy.
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The Board reviewed the APTA Board of Directors report submitted by Ms. Leeper. It was interesting to note that the APTA of MD, Inc. has ceased dialogue with the Veterinary Board because that Board will not budge on the requirement of direct supervision of the physical therapist who wishes to treat animals. Since Maryland has had direct access since 1979, the Association is not willing to give up that privilege.

APTA

A thank you note from the Barker Foundation was received for the donation made by the Board in memory of its first Executive Director, Mildred Wittan.

Barker
Foundation

Ms. Bethman presented the draft response to Ms. Leeper's request that Board clarify PT/PTA supervision. The Board approved the draft response.

PT/PTA
Supervision

The Board unanimously voted to close the open session at 1:55 p.m. to discuss pending litigation and obtain advice of counsel regarding the NPTE suspension. Article, Section 10-508(a)(7) & (8) and to discuss disciplinary cases in the Administrative session. The Administrative session ended at 3:25 p.m. whereby the Board entered into Open session once again and voted to enter Closed session to discuss personnel issues and obtain legal advice about another Board matter in accordance with State Gov't. Art., Section 10-508(a)(1). After the Closed session ended at 4:10 p.m. there was no other business and the meeting was adjourned. Unless recused, all board members who were present for the open session participated in both the closed and administrative sessions.

Administrative

Respectfully submitted,

Shirley Leeper, PTA

Shirley Leeper, PTA, Chairperson

Date: March 15, 2011

Ann E. Tyminski

Ann E. Tyminski, Executive Director